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PATENT 6/15/02
Harrison
Attorney Docket No.: 0000265

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Carley)
Serial No.: 09/583,386) Examiner: Erik Kielin
Filing Date: May 30, 2000) Art Unit: 2813

COPY OF PAPERS
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Entitled: MANUFACTURING OF MEMS STRUCTURE IN SEALED CAVITY
USING DRY-RELEASE MEMS DEVICE ENCAPSULATION

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**PRELIMINARY AMENDMENT AND
RESPONSE TO FINAL OFFICE ACTION**

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

Dear Sir:

This communication is being filed in response to the final office action dated January 30, 2002 in the above-referenced U.S. patent application. A Request for Continued Examination has been filed under section 37 C.F.R. § 1.114.

The Applicant requests the entry of the following amendments:

In the Claims:

- Please re-write claim 1 as follows:

1. A method of fabricating a microstructure in a sealed cavity comprising the steps of :
providing a substrate;
forming a microstructure composed of a structural material on said substrate, said microstructure being secured to said substrate by a first layer of sacrificial material;
forming a second layer of sacrificial material on said microstructure;
forming a cap on said second layer of sacrificial material, said cap forming a sealed cavity containing said microstructure and said first and said second sacrificial layers.
forming one or more holes in said sealed cavity, said holes being restricted to an area

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